

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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CLIDE WILSON

Plaintiff,

-v.-

Civil Action No.  
9:14-cv-897 (GLS/ATB)

STEPHEN RACETTE

Defendant.

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APPEARANCES:

OF COUNSEL:

**FOR THE PLAINTIFF:**

CLIDE WILSON  
*Pro Se*  
11-A-1600  
Clinton Correctional Facility  
P.O. Box 2002  
Dannemora, New York 12929

**FOR THE DEFENDANT:**

HON. ERIC T. SCHNEIDERMAN  
New York State Attorney General  
120 Broadway  
New York, New York 10271

PRISCILLA I. STEWARD, ESQ.  
Assistant Attorney General

GARY L. SHARPE,  
DISTRICT JUDGE

**ORDER**

The above-captioned matter comes to this court following a Report-  
Recommendation by Magistrate Judge Andrew T. Baxter, duly filed August

11, 2015. Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the Magistrate Judge's Report-Recommendation for clear error, it is hereby

**ORDERED** that the Report-Recommendation of Magistrate Judge Andrew T. Baxter filed August 11, 2015 (Dkt. No. 12) is ACCEPTED in its entirety for the reasons stated therein; and it is further

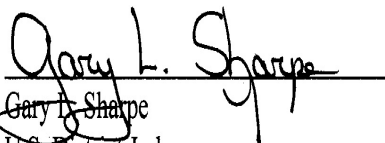
**ORDERED** that the petition is DENIED and DISMISSED;  
and it is further

**ORDERED** that no certificate of appealability shall issue in this case because Petitioner has failed to make a "substantial showing of the denial of a constitutional right" pursuant to 28 U.S.C. § 2253(c)(2); and it is further

**ORDERED** that the Clerk provide a copy of this Order to the parties in accordance to the local rules.

IT IS SO ORDERED.

September 2, 2015  
Albany, New York

  
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Gary L. Sharpe  
U.S. District Judge